

Notice Given

Senator York gave notice he would on tomorrow ask for an executive session of the Senate to be held at 12:20 o'clock p. m. on that day.

Adjournment

Senator Aikin moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—14

Aikin	Jones
Brown	Lane
Bullock	Morris
Carney	Stanford
Chadick	Taylor
Crawford	Vick
Graves	Winfield

Nays—13

Hazlewood	Parrish
Knight	Ramsey
Lanning	Spears
Martin	Stone
Metcalfe	Sulak
Moffett	York
Moore	

Absent—Excused

Kelley	Shivers
Mauritz	Weinert

The Senate, accordingly, at 12:30 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

FIFTEENTH DAY

(Wednesday, January 31, 1945)

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Lanning
Brown	Martin
Bullock	Metcalfe
Carney	Moffett
Chadick	Moore
Crawford	Morris
Graves	Parrish
Hazlewood	Ramsey
Jones	Spears
Knight	Stanford
Lane	Stone

Sulak
Taylor
Vick

Weinert
Winfield
York

A quorum was announced present.

The Reverend J. E. Chester, Chaplain offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Mauritz was granted leave of absence for today on account of illness on motion of Senator Lanning.

Senators Kelley and Shivers were granted leaves of absence for today and indefinitely on account of important business on motion of Senator Metcalfe.

Reports of Standing Committees

Senator Metcalfe submitted the following reports:

Austin, Texas
January 31, 1945

Hon. John Lee Smith, President of the Senate.

Dear Sir: We, your Committee on Highways and Motor Traffic to whom was referred Senate Bill No. 85 by Metcalfe have had same under consideration, and we wish to report it back to the Senate with the recommendation that it do pass and be printed.

METCALFE, Chairman.

Austin, Texas
January 31, 1945

Hon. John Lee Smith, President of the Senate.

Dear Sir: We, your Committee on Highways and Motor Traffic to whom was referred Senate Bill No. 84 by Metcalfe have had same under consideration, and we wish to report it back to the Senate with the recommendation that it do pass and be printed.

METCALFE, Chairman.

Senator Taylor submitted the following report:

Austin, Texas
January 30, 1945.

Hon. John Lee Smith, President of the Senate, Austin, Texas.

Sir: We, your Committee on Rules, to whom was referred Senate Resolution No. 9, "A Resoultion authorizing the Permanent Senate Rules of the Forty-Eighth Legislature be adopted hereby as the Permanent Rules of the Forty-Ninth Legislature save and except that Rule 61 shall read hereafter as follows:

"Rule 61. A motion to reconsider shall be decided by a majority vote if the original question voted upon required a majority vote for its adoption:

"If the original question voted upon required a two-thirds vote for its adoption, a two-thirds vote shall be required to reconsider:

"If the original question voted upon required a four-fifths vote for its adoption, a four-fifths vote shall be required to reconsider."

Have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass, but Committee Substitute do pass in lieu thereof and be printed.

TAYLOR, Chairman

Senator Lanning submitted the following reports:

Austin, Texas
January 30, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 22 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be mimeographed and not otherwise printed.

LANNING, Chairman.

Austin, Texas
January 30, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 23 have had same under consideration and I am instructed to report

it back to the Senate with the recommendation that it do pass as amended and be mimeographed and not otherwise printed.

LANNING, Chairman.

Austin, Texas
January 30, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 91 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANNING, Chairman.

Austin, Texas
January 30, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 68 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

LANNING, Chairman.

Austin, Texas
January 30, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 43 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANNING, Chairman.

Austin, Texas
January 30, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred H. B. No. 2 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be mimeographed and not otherwise printed.

LANNING, Chairman.

Senate Bills on First Reading

The following bills were introduced, read first time, and referred to the committees indicated:

By Senator Hazlewood:

S. B. No. 100, A Bill to be entitled An Act amending Sub-section 7 (7) of Article No. 2350, Title 44, of the 1925 Revised Civil Statutes of the State of Texas, enacted by the 48th Legislature, 1943, S. B. 319; authorizing the allowance of traveling expenses of not to exceed twenty-five (\$25.00) Dollars per month for each commissioner, in counties having a population of less than twenty-five thousand, two hundred (25,200), defining the purpose of said Act, the filing of itemized accounts, and declaring an emergency.

To Committee on Civil Jurisprudence.

By Senators Hazlewood and Winfield:

S. B. No. 101, A Bill to be entitled An Act amending Article 3918, Revised Civil Statutes of Texas of 1925, providing for an increase in the amount of certain fees; providing for the elimination of certain fees and the addition of others; declaring an emergency, and fixing the effective date.

To Committee on Public Lands and Land Office.

By Senator Hazlewood:

S. B. No. 102, A Bill to be entitled An Act to apportion the Senate into Senatorial Districts; naming the counties composing each district; designating the counties to which election returns shall be sent in each district; repealing all laws and parts of laws in conflict herewith; and declaring an emergency.

To Committee on Senatorial District.

By Senator Jones:

S. B. No. 103, A Bill to be entitled An Act validating all consolidations, groupings, and annexations of school districts or attempts at such consolidations, groupings, and annexations.

To Committee on State Affairs.

By Senator Sulak:

S. B. No. 104, A Bill to be entitled An Act making appropriations to pay

deficiency appropriations granted to the State Soil Conservation Board, to pay the Supervisors of Soil Conservation Districts in Texas; and declaring an emergency.

To Committee on Finance.

Senate Concurrent Resolution No. 7

Senator Metcalfe offered the following resolution:

S. C. R. No. 7, Providing for joint committee to attend presentation of flag to Two Hundred First Aviation Squadron of the Mexican Army.

Whereas, on February 15, 1945, at Majors Field, Greenville, Texas, there will be held a ceremony unique in the history of this country, when General Francisco Urquio, Sub-Secretary of War of the Republic of Mexico, will present their organization flag to the Two Hundred First Aviation Squadron of the Mexican Army at the completion of its flying training, and

Whereas, all of the young men who make up this squadron have received a large part of their flying training in Texas, and they have courageously and patriotically volunteered for overseas service against the common foes of our two nations, and

Whereas, it has been an honor for the State of Texas to have this first units of the Mexican Expeditionary Forces as its guests for part of their training, it is fitting that an official expression of approval of the people of this State be extended to these brave and unselfish men who are voluntarily offering their lives for the protection of those noble things which mean more to the people of our countries than life itself, now therefore be it

Resolved, by the Senate of Texas, the House of Representatives concurring, That a committee of three members of the Senate and three members of the House of Representatives be appointed to attend the ceremonies to convey in person the best wishes of the people of Texas for the welfare and success of these distinguished aviators.

METCALFE
MORRIS
AIKIN

The resolution was read.

By unanimous consent, the resolu-

tion was considered immediately and was adopted.

House Concurrent Resolution No. 14

On motion of Senator Morris, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 14, correcting enrolled copy of H. B. No. 3.

The resolution was read and was adopted.

Hour for Executive Session

Senator Winfield moved that the Senate hold an executive session at 10:45 o'clock a. m. tomorrow.

Motion to Adjourn

Senator Aikin moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Yeas and nays were demanded, and the motion to adjourn was lost by the following vote:

Yeas—8

Aikin	Jones
Chadick	Lane
Crawford	Moffett
Graves	Vick

Nays—20

Brown	Parrish
Bullock	Ramsey
Carney	Spears
Hazlewood	Stanford
Knight	Stone
Lanning	Sulak
Martin	Taylor
Metcalfe	Weinert
Moore	Winfield
Morris	York

Absent—Excused

Kelley	Shivers
Mauritz	

Question recurring on the motion of Senator Winfield, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—21

Brown	Crawford
Bullock	Hazlewood
Carney	Jones

Knight	Stanford
Lanning	Stone
Martin	Sulak
Metcalfe	Taylor
Moore	Weinert
Parrish	Winfield
Ramsey	York
Spears	

Nays—7

Aikin	Moffett
Chadick	Morris
Graves	Vick
Lane	

Absent—Excused

Kelley	Shivers
Mauritz	

Committee Substitute Senate Resolution 9

On motion of Senator Taylor and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

Be it resolved by the Senate of the State of Texas, The Permanent Senate Rules of the Forty-Ninth Legislature shall be the same rules as were used and adopted as the Permanent Rules of the Forty-Eighth Legislature.

The resolution was read.

Senator Morris offered the following amendment to the resolution:

Amend Senate Resolution No. 9 by striking out all of Rule 87 and inserting in lieu thereof the following: "Nominations shall be acted on in open session and the vote thereof shall be recorded in the Senate Journal;" and by striking out all of Rule 90.

MORRIS
RAMSEY
METCALFE
AIKIN
LANE
CHADICK
STANFORD

Senator Moore moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—17

Brown	Crawford
Carney	Graves

Hazlewood	Spears
Knight	Stone
Lanning	Vick
Martin	Weinert
Moffett	Winfield
Moore	York
Parrish	

Nays—11

Aikin	Morris
Bullock	Ramsey
Chadick	Stanford
Jones	Sulak
Lane	Taylor
Metcalf	

Absent—Excused

Kelley	Shivers
Mauritz	

Senator Moore moved the previous question on the resolution, and the motion was duly seconded.

Question—Shall the main question be now ordered?

Yeas and nays were demanded, and the main question was ordered by the following vote:

Yeas—17

Graves	Ramsey
Hazlewood	Spears
Knight	Stone
Lanning	Taylor
Martin	Vick
Moffett	Weinert
Moore	Winfield
Morris	York
Parrish	

Nays—11

Aikin	Jones
Brown	Lane
Bullock	Metcalf
Carney	Stanford
Chadick	Sulak
Crawford	

Absent—Excused

Kelley	Shivers
Mauritz	

The resolution then was adopted by the following vote:

Yeas—22

Brown	Hazlewood
Bullock	Knight
Carney	Lanning
Chadick	Martin
Crawford	Metcalf
Graves	Moffett

Moore	Taylor
Parrish	Vick
Ramsey	Weinert
Spears	Winfield
Stone	York

Nays—6

Aikin	Morris
Jones	Stanford
Lane	Sulak

Absent—Excused

Kelley	Shivers
Mauritz	

Senate Resolution 26

Senator Moore, by unanimous consent, offered at this time the following resolution:

S. R. No. 26:

Be it resolved by the Senate of the State of Texas: The following procedure is adopted by the Senate in lieu of the procedure set forth in Section 5, Article III, of the Constitution of the State of Texas.

Time Limit for Introduction and Consideration of Bills

113. It shall be in order to introduce bills during the first sixty calendar days of the session, and to have the same referred to a proper committee; provided, however, that at any time during the session, resolutions, emergency appropriations, emergency matters specifically submitted by the Governor in special messages to the Legislature, and local bills (as defined in Rule 115) may be introduced, referred to a committee, and disposed of under the General Rules of the Senate. The Senate may act upon the confirmation of appointments (recess or otherwise) at any time during the session.

Suspension of Time Limit Rule

114. Except as otherwise provided in Rule 113, no bills shall be introduced after the first sixty calendar days of the session; provided, however, this Rule may be suspended by the affirmative vote of four-fifths of the members of the Senate.

Introduction and Consideration of Local Bills

115. The constitutional procedure with reference to the introduction, reference to a committee, and the

consideration of bills set forth in Article III. Section 5. of the Constitution, shall not apply to local bills hereinafter defined, and the same may be introduced, referred, reported, and acted upon at any time under the general rules and order of business of the Senate.

A local bill is defined for the purposes of this Rule as an Act the provisions of which relate to or effect directly a defined locality, district, or section of the State, and which do not include or require any appropriation out of state funds or which do not affect any state policies, and which do not affect directly the state at large, and the operation of which is confined solely to a particular locality, district or section of the state.

Suspensions of Rules Limiting Consideration of Bills

116. Except as otherwise provided in Rule 113, bills shall not be taken up, considered, or acted upon by the Senate during the first sixty calendar days of the session, unless this Rule be suspended by the affirmative vote of four-fifths of the members of the Senate.

Consideration of Bills In Committees

117. It shall be in order for committees to consider bills and resolutions at any time during the session, make reports thereon, and file the same with the Senate.

The resolution was read and was considered immediately.

The resolution was adopted by the following vote:

Yeas—28

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Metcalf	York

Absent—Excused

Kelley	Shivers
Mauritz	

House Concurrent Resolution 1

The President laid before the Senate for consideration at this time:

H. C. R. No. 1, adopting the joint rules of the 48th Legislature as the temporary joint rules of the 49th Legislature.

The resolution was read and was adopted.

Senate Resolution 27

By unanimous consent, Senator Metcalfe offered at this time the following resolution:

Resolved that Senate rule 86 be amended by adding after the word "thereon" in said Rule, the following: "and no nomination shall be considered which has not been reported to the Senate at least twenty-four hours prior to the time of its consideration."

The resolution was read and was referred to the Committee on Rules.

Message from the House

Hall of the House of Representatives,
Austin, Texas, January 31, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Resolution:

S. C. R. No. 6, Relative to appointing committee to select Poet Laureate, (with amendment.)

Respectfully submitted,

CLARENCE JONES,

Chief Clerk House of Representatives.

Senate Concurrent Resolution 6

Senator Hazlewood moved that the Senate concur in the House amendment to S. C. R. No. 6.

The President laid the resolution and the House amendment before the Senate, and the House amendment was read.

Question recurring on the motion of Senator Hazlewood, it prevailed.

The President appointed Senators Hazlewood, Parrish and Ramsey, as members on the part of the Sen-

ate, of the joint committee to select a poet laureate of Texas.

Resolution Signed

The President signed H. C. R. No. 13 in the presence of the Senate.

Message from the Governor

The following message was received, read to the Senate, and referred to the Committee on Nominations of the Governor:

Austin, Texas
January 31, 1945.

To the Senate of the Forty-Ninth Legislature:

I ask the the advice, consent, and confirmation of the Senate with the respect to the following appointment:

To be Public Weigher in and for the City of Fort Worth, Tarrant County, for a two year term to expire January 30, 1947:

E. Brents Wooten of Fort Worth, Tarrant County.

Respectfully submitted,
COKE R. STEVENSON,
Governor of Texas.

House Concurrent Resolution 12

The President laid before the Senate, and directed the Secretary to read, the following resolution:

H. R. C. No. 12, Expressing regret at the sudden passing of Constantine Oumansky.

Whereas, The United States of America and her Allies are now engaged in fighting the greatest war the world has ever seen in an attempt to guarantee for the future a peaceful world; and

Whereas, Soviet Russia has been outstanding in her contribution toward victory on both military and diplomatic fronts, having astonished the world by placing in the field armies magnificent in personnel, equipment, and performance as well as men of outstanding ability and personality in the diplomatic corps in various capitals of the world; and

Whereas, Recent news from Mexico City has told of the untimely death of Constantine Oumansky, Russian Ambassador to Mexico, one of the most capable and best liked diplomats residing in the Western Hemi-

sphere, and his wife, Reya Oumansky, together with other members of his diplomatic staff, and

Whereas, Constantine Oumansky's death is a great loss to his country, his many friends in the Americas, particularly in Texas, and to all of the Allies; therefore, be it

Resolved by the Legislature of the State of Texas, House and Senate concurring, That we express to the Union of Soviet Socialist Republics, through its Ambassador to the United States in Washington, and to his family, our admiration for Constantine Oumansky and his work, and our deep regret at his sudden passing; and furthermore, that his contribution toward allied solidarity and good will will be long remembered in the United States of America, and more particularly in Texas, the southernmost of the United States and closest neighbor to Mexico.

The resolution was read.

On motion of Senator Metcalfe, and by unanimous consent, the resolution was considered immediately.

The resolution was adopted.

Senate Bill 44 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 44, A bill to be entitled "An Act creating the Office of Veterans County Service Office; providing for the employment of Veteran County Service Officers and Assistant Veterans County Service Officers; authorizing the maintenance and operation of such office by the Commissioners Court; authorizing the appointment by the Commissioners Court of a Veterans County Service Officer and Assistant Veterans County Service Officers and other necessary personnel; defining the qualifications, authority and duties of such officers; authorizing the fixing of salaries of such officers and personnel by the Commissioners Court and providing that the salaries and travel expenses of such officers and personnel and other expenses of such office so maintained may be paid out of the general funds of the county on order of the Commissioners Court; providing for the term of such officers and per-

sonnel; granting the right of such officers the official entry into the records of the eleemosynary and penal institutions of the State of Texas; authorizing the maintenance and operation of such office and the employment of such officers and personnel and the fixing of the salaries and payment of expenses jointly by agreement of one or more counties; repealing all laws and parts of laws in conflict; repealing Chapter 330, page 557 of the acts of the regular session of the 48th Legislature; and declaring an emergency."

The bill was read second time.

Senator Moffett offered the following committee amendment to the bill:

Amend Senate Bill No. 44 by striking out all of Section 2 in said bill and inserting in lieu thereof the following:

"Section 2. Such Veterans County Service Officer and/or Assistant Veterans County Service Officer shall, if so appointed, serve for the remainder of the current county fiscal year during which they are appointed and thereafter shall be appointed for and serve for a term of two years, unless sooner removed for cause by the appointing authority. Such Veterans County Service Officer and such Assistant Veterans County Service Officer shall be qualified by education and training for the duties of such office. They shall be experienced in the law, regulations and rulings of the United States Veterans Administration controlling cases before them, and shall themselves have served in the active military, naval or other armed forces or nurses corps of the United States during the Spanish American War, World War I or World War II, for a period of at least four months and have been honorably discharged from such service. Such persons shall have had at least two years' experience as a Service Officer in a nationally recognized veterans organization engaged in service work to veterans, as defined by the United States Administration, either as a Post, State, Department, or National Service Officer, which shall be evidenced by a statement of qualifications filed by the individual seeking appointment, with the County Commissioners Court, upon form supplied by the Veterans

State Service Officer of the State of Texas, which shall be certified to by the State Commander of the veterans organization to which such applicant shall belong, or shall have had one year's experience as a County Service Officer or Assistant County Service Officer, or shall have been given a certificate by the Veterans State Service Officer, who is hereby authorized to prescribe the training and qualifications required for the issuance of such certificate. A statement showing that applicant possesses one or more of the above qualifications, accompanied by supporting certificate, shall be filed with the County Commissioners Court at or before the time said appointments are made, and the filing thereof shall be a condition precedent to such appointment."

The amendment was adopted.

Senator Metcalfe offered the following amendment to the bill:

Amend S. B. 44, page 2, line 38, by adding after the word "other" in said line, the word "contiguous."

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 44 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 44 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Metcalfe	York

Absent—Excused

Kelley	Shivers
Mauritz	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Metcalf	York

Absent—Excused

Kelley	Shivers
Mauritz	

Bill and Resolution Signed

The President signed H. B. No. 3 and H. C. R. No. 14 in the presence of the Senate, after giving due notice of the signing and their captions had been read.

Joint Session

(To Hear Lieutenant Colonel Gerald A. Sadler.)

At 11:45 o'clock a. m. the President announced the arrival of the hour for the joint session to be held pursuant to H. C. R. No. 13 to hear Lieutenant Colonel Gerald A. (Jerry) Sadler, and requested the Senators to proceed in a body to the Hall of the House of Representatives.

The Honorable Senators were announced at the Hall of the House and were duly admitted and escorted to seats prepared for them in the center aisle of the Hall.

Lieutenant Colonel Sadler was escorted to the Speaker's rostrum by Senators Aikin, Brown and Taylor and Representatives Lanier, McLellan, Storey, Sadler and Yezak.

Hon. Claud Gilmer, Speaker of the House, announced the purpose of the joint session.

The President of the Senate called

the Senate to order and announced a quorum of the Senate present.

The Speaker of the House called the House to order and ascertained and announced the presence of a quorum of the House.

The Speaker presented Lieutenant Colonel James E. Taylor, Senator from the Sixth Senatorial District, who in turn presented to the joint session Lieutenant Colonel Gerald A. (Jerry) Sadler.

Colonel Sadler then addressed the joint session.

At the conclusion of the address, the Speaker presented to Colonel Sadler a signed copy of the resolution inviting him to address the joint session.

At 12:05 o'clock p. m., the President announced the purpose of the joint session accomplished, and the Senate retired to its chamber.

In the Senate

The President called the Senate to order at 12:10 o'clock p. m.

Adjournment

On motion of Senator Chadick, the Senate, at 12:10 o'clock a. m., adjourned until 10:30 o'clock a. m. tomorrow.

SIXTEENTH DAY

(Thursday, February 1, 1945)

The Senate met at 10:30 a'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Metcalf	York